1 THE HONORABLE JAMES L. ROBART 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 WESTERN DISTRICT OF WASHINGTON 9 SEATTLE DIVISION 10 11 MICROSOFT CORPORATION, Case No. C10-1823-JLR 12 Plaintiff, [PROPOSED] ORDER GRANTING 13 NON-PARTY QUALCOMM INC.'S vs. **RENEWED MOTION TO SEAL** 14 MOTOROLA, INC., et al., NOTE ON MOTION CALENDAR: Defendants. 15 Friday, September 6, 2013 16 Without Oral Argument 17 18 19 20 21 22 23 24 25 26 27 [PROPOSED] ORDER RE NON-PARTY COOLEY LLP QUALCOMM INC.'S RENEWED 1700 SEVENTH AVENUE SUITE 1900 MOTION TO SEAL SEATTLE, WA 98101-1355 **CASE No. 10-cv-1823-JLR** (206) 452-8700

[[NYLIT:2642300v1:4062w: 08/25/2013--09:10 AM]]

1	This matter having come before the Court on Non-Party Qualcomm Incorporated's		
2	("Qualcomm") Renewed Motion to Seal, and the Court having considered the motion papers and		
3	the records on file herein, the Court hereby ORDERS that Qualcomm's Renewed Motion to Seal		
4	is GRANTED as follows:		
5	1. Pursuant to Local Rule CR 5(g), Qualcomm has established that compelling		
6	reasons exist for sealing the following documents:		
7	a. an Amendment to DS-CDMA Technology Agreement between Motorola		
8	and Qualcomm, labeled MOTM_WASH1823_0025409-412 and Defendants' Trial Exhibit		
9	3230, and designated "Confidential Business Information" and "Attorneys' Eyes Only";		
10	b. an Agreement to Amend the Patent License Agreement and Technology		
11	License Agreement and Software License Agreement between Motorola and Qualcomm, labeled		
12	MOTM_WASH1823_0025413-430 and Defendants' Trial Exhibit 3231 , and designated		
13	"Confidential Business Information" and "Attorneys' Eyes Only";		
14	c. a DS-CDMA Technology Agreement between Qualcomm and Motorola,		
15	labeled MOTM_WASH1823_0025431-467 and Defendants' Trial Exhibit 3232 , and		
16	designated "Confidential Business Information" and "Attorneys' Eyes Only"; and		
17	d. a Patent License Agreement between Motorola and Qualcomm, labeled		
18	MOTM_WASH1823_0025489-502 and Defendants' Trial Exhibit 3233 , and designated		
19	"Confidential Business Information" and "Attorneys' Eyes Only."		
20	2. These documents are confidential and contain trade secret information.		
21	Qualcomm has done nothing to put that information at issue in this case where it is not a party.		
22	These documents and any other materials containing trade secret information derived from these		
23	documents shall be sealed.		
24	3. The courtroom is to be cleared and closed when argument on this topic, testimony		
25	on this topic, or these exhibits are discussed.		
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1	4. If additional documents from Qualcomm are intended to be offered into evidence,		
2	the parties are to notify Qualcomm immediately so that it can seek to seal or redact confidential		
3	and trade secret information before the documents are offered into evidence.		
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5	DATED this day of August, 2013.		
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8	HON. JAMES L. ROBART		
9	United States District Judge		
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[PROPOSED] ORDER RE NON-PARTY QUALCOMM INC.'S RENEWED MOTION TO SEAL CASE No. 10-cv-1823-JLR COOLEY LLP 1700 SEVENTH AVENUE SUITE 1900 SEATTLE, WA 98101-1355 (206) 452-8700

1	Presented by:	
2		<u>/s/ Christopher B. Durbin</u> Christopher B. Durbin (WSBA #41159)
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7		Attorneys for Non-Party QUALCOMM, INC.
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<i>41</i>	[PROPOSED] ORDER RE NON-PARTY QUALCOMM INC.'S RENEWED MOTION TO SEAL CASE No. 10-cv-1823-JLR	4. COOLEY LLP 1700 SEVENTH AVENUE SUITE 1900 SEATTLE, WA 98101-1355 (206) 452-8700

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CERTIFICATE OF SERVICE I hereby certify that, on August 26, 2013, I caused to be electronically filed the foregoing [Proposed] Order Re Non-Party Qualcomm Incorporated's Renewed Motion to Seal with the Clerk of the Court using the CM/ECF system, which will automatically send notification of such filing to all registered parties and non-parties in this action. /s/Christopher B. Durbin Christopher B. Durbin CERTIFICATE OF SERVICE COOLEY LLP **CASE No. 10-cv-1823-JLR** 1700 SEVENTH AVENUE SUITE 1900 SEATTLE, WA 98101-1355 (206) 452-8700